

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

JOE ANDREW SALAZAR,

Plaintiff,

v.

HTC CORPORATION,

Defendant.

Civil Action No. 2:16-cv-01096-JRG-RSP

VERDICT FORM

In answering the following questions and filling out this Verdict Form, you are to follow all of the instructions I have given you in the Court's charge. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

In this verdict form:

“Mr. Salazar” refers to Plaintiff Joe Andrew Salazar.

“HTC Corporation” refers to Defendant HTC Corporation.

The ‘467 Patent refers to U.S. Patent No. 5,802,467.

The “Asserted Claims” refer to Claims 1–7, 27–30, and 34 of the ‘467 Patent.

The “Accused Products” refer to the HTC One M7, HTC One M8, and HTC One M9.

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QUESTION #1:

Did Mr. Salazar prove by a preponderance of the evidence that HTC Corporation infringed **ANY** of the Asserted Claims through the use, sale, or offer for sale in the United States, or importation into the United States, of any of the following Accused Products?

Answer “Yes” or “No” for each Accused Product listed below:

HTC One M7	<u>NO</u>
HTC One M8	<u>NO</u>
HTC One M9	<u>NO</u>

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QUESTION #2:

Did HTC Corporation prove by clear and convincing evidence that any of the following
Asserted Claims are invalid?

Answer “Yes” or “No” for each Asserted Claim listed below:

'467 Patent

Claim 1	_____
Claim 2	_____
Claim 3	_____
Claim 4	_____
Claim 5	_____
Claim 6	_____
Claim 7	_____
Claim 27	_____
Claim 28	_____
Claim 29	_____
Claim 30	_____
Claim 34	_____

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FOLLOW THIS INSTRUCTION:

If you have answered **NO** to **ALL** Accused Products in Question #1, answer no further questions, proceed to the last page, have your Foreperson sign and date this verdict form, and then deliver it to the Court Security Officer.

If you have answered **YES** to **ALL** Asserted Claims in Question #2, answer no further questions, proceed to the last page, have your Foreperson sign and date this verdict form, and then deliver it to the Court Security Officer.

If you have answered **YES** as to **ANY** Accused Product in Question #1, **PROCEED TO ANSWER THIS QUESTION** as to **ONLY** any Asserted Claim of the '467 patent that you have found both to be infringed by HTC Corporation and for which you have found that Asserted Claim is not invalid.

QUESTION #3:

What sum of money, if any, if paid now in cash, do you find by a preponderance of the evidence would fairly and reasonably compensate Mr. Salazar for any infringement by HTC Corporation as to each Accused Product? Only award damages for those Asserted Claims that you have found to be both infringed and not invalid as to each Accused Product.

Answer in Dollars and Cents, if any:

HTC One M7 \$ _____

HTC One M8 \$ _____

HTC One M9 \$ _____

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QUESTION #4:

Did Mr. Salazar prove by a preponderance of the evidence that the owners of the '467 Patent satisfied the requirements of the marking statute (35 U.S.C. § 287)?

Answer "Yes" or "No":

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END OF JURY VERDICT FORM

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous determinations. After you are satisfied that your unanimous answers are correctly reflected above, then the Jury Foreperson should then sign and date this verdict form in the spaces below. Then, notify the Court Security Officer that you have reached a verdict.

Signed this 11th day of May, 2018.

Jury Foreperson

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